

## UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America

v.

Timothy Nicholas Rhodes

Case No: 7:04-CR-82-4H

USM No: 21734-056

Date of Original Judgment: February 13, 2007

Date of Previous Amended Judgment: October 1, 2015

(Use Date of Last Amended Judgment if Any)

Sherri R. Alsbaugh

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(1)(B)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(1)(B) for a modification of an imposed term of imprisonment to the extent otherwise expressly permitted by statute and as provided by Section 404 of the First Step Act of 2018, and having considered such motion, and taking into account the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 262 months is reduced to 240 months on Count 5 and .

(Complete Parts I and II of Page 2 when motion is granted)

22 months on count 6, consecutive, producing a total term of 262 months. The terms of supervised release are reduced to 3 years in both counts, concurrent.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

Except as otherwise provided, all provisions of the judgment(s) dated February 13, 2007, and October 1, 2015, shall remain in effect. **IT IS SO ORDERED.**

Order Date: 7/2/19



Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Malcolm J. Howard Senior U.S. District Judge  
Printed name and title